

SENATE CHAMBER,
AUSTIN, TEXAS, Thursday, April 27, 1871. }

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; quorum present.

Absent—excused—Senators Evans and Flanagan.

Prayer by the Chaplain.

On motion of Senator Gaines, the reading of the journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

Reports of Committee on Public Buildings:

COMMITTEE ROOM,
AUSTIN; April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Public Buildings, to whom was referred House bill No. 88, "An act to provide for the completion and control of the Supreme Court building, library, etc., have carefully considered the same, and beg leave to report it back with the recommendation that it do pass.

J. S. MILLS,
Chairman.

Report read and laid over under the rules.

COMMITTEE ROOM.
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Public Buildings, to whom was referred Senate joint resolution No. 34, "Authorizing and requiring the Governor to order the purchase, transportation and putting up of a substantial and ornamental iron fence around the Capitol square, and making an appropriation therefor," instruct me to report the same back and recommend its passage.

Respectfully,

J. S. MILLS,
Chairman.

Report read.

On motion of Senator Bowers, the rules were suspended to consider the report and resolution.

Senate joint resolution No. 34 read second time.

Senator Gaines moved the engrossment of the resolution.

Yeas and nays called for, and motion lost by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Cole, Ford, Fountain, Gaines, Hall, Mills, Pickett, Saylor—12.

Nays—Broughton, Dohoney, Douglass, Hertzberg, Hillebrand, Latimer, Pettit, Pridgen, Pyle, Rawson, Shannon, Tendick—12.

COMMITTEE ROOM,
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Public Buildings to whom was referred a "petition from the county court of Anderson county, in regard to building poor houses," ask leave to report the same back to the Senate with the suggestion that the contents thereof, are more properly subject matter for the consideration of the Judiciary Committee, and would respectfully recommend its reference thereto.

J. S. MILLS, Chairman.

Report read and on motion of Senator Pettit, the rules were suspended to consider the report.

On motion of Senator Pettit, the report was adopted and petition referred to the Committee on Judiciary.

Report of Committee on Roads, Bridges and Ferries:

COMMITTEE ROOM,
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 381, entitled "An act to incorporate the Bastrop Ferry Company," after careful consideration, instruct me to report the same back and recommend its passage, with the following amendment.

Respectfully,

JOHN G. BELL,
Chairman.

Amend by striking out the word "police," in section four, line five, and insert in lieu thereof the word "county."

Report read and laid over under the rules.

Reports of Committee on General Land Office:

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on General Land Office, to whom was re-

ferred Senate bill No. 384, entitled "An act authorizing the Commissioner of the General Land Office to appoint additional draughtsmen for his department, and fixing the salaries and making an appropriation therefor," have had the same under consideration, and after a careful examination instruct me to report the same back with the recommendation that it do pass.

THEO. HERTZBERG,
Chairman.

Report read.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,
President of the Senate :

SIR : Your Committee on General Land Office, to whom was referred Senate bill No. 383, entitled "An act authorizing the Commissioner of the General Land Office to employ additional extra draughtsmen, and providing for the payment thereof," having duly considered and examined the same, instruct me to report it back and recommend its passage.

THEO. HERTZBERG,
Chairman.

Report read.

Senator Hertzberg submitted the following communication from the Commissioner of the General Land Office, and asked that it be read and spread upon the journals. Communication read :

STATEMENT OF APPLICATIONS FOR MAPS AND SKETCHES NOW FILED
IN THE DRAUGHTSMAN'S DEPARTMENT OF THE GENERAL LAND
OFFICE.

1. Copies of county maps immediately wanted..... 175
2. County maps to be recompiled, Denton, Ellis, Freestone,
Hood, Gillespie, Grayson, Hopkins, Hunt, Johnson,
Jasper, Newton, Lamar, Montgomery, Refugio, Smith,
Titus, Tarrant, Travis, Upshur, Wood..... 20
[It takes an average six months for a draughtsman to
recompile a map.]
3. County maps to be copied photographically, Kendall,
Washington, Dallas, DeWitt, Karnes, Goliad, Leon,
Anderson, Comanche..... 9
4. Photograph copies of county maps on hand, Bosque, Col-
orado, Davis, Delta, Henderson, Houston, Kaufman,
McLennan, Parker, Van Zandt, Wise..... 11

5. New counties lately created, to be compiled, San Jacinto, Rains, Hardeman, Encinal..... 4
Edwards, Greer, Tegener (?),.....
6. Maps delayed in office on account of insufficient force of draughtsmen to complete the preparatory work.....
Application of J. J. Alston, of New Orleans, for one photographic copy of each and every county in the State..... 148
Application of the Memphis, El Paso and Pacific Railroad Company for copies of county maps..... 17
Application for copies of county maps for counties west of the Brazos river..... 30
[To make one copy by hand it requires, on an average, ten days.]

The total number of county maps wanted..... 405

The length of time it will take to complete all the above stated work, may be easily calculated, if the fact is realized that the actual force for this purpose consists of but *two* draughtsmen. The total number of draughtsmen now in the General Land Office is *seven*, the chief draughtsman excepted. One of them is constantly occupied with calculating; *four*, to meet the demands of county surveyors and the public in general, making the necessary examinations on the maps preparatory to passing and patenting surveys, also, doing all other current work, such as making sketches, etc.

In order to throw some light upon the constantly increasing demands for work in this office, I will here state that, during the last two months, application has been made for 176 sketches; during the same number of months in 1868, 31; during the same number of months in 1869, 47; during the same number of months in 1870, 104; during the same number of months in 1871, 176.

I also submit for your inspection, several original county maps and photograph copies of the same, which will prove conclusively how essential it is to have maps well drawn and in an undilapidated condition, to make good photographic copies.

I hereto attach "Exhibit A," a list of such counties of which copies have been applied for and the number of each.

JACOB KUECHLER,
Commissioner.

General Land Office, Austin, April 26, 1871.

EXHIBIT A.

Copies of Maps Immediately Wanted.—7 of Anderson, 2 of Archer, 1 of Atascosa, 4 of Bexar, 1 of Baylor, 2 of Bell, 1 of

Blanco, 1 of Brazoria, 2 of Bowie, 1 of Burleson, 3 of Caldwell, 1 of Chambers, 4 of Cherokee, 6 of Clay, 6 of Comal, 6 of Colorado, 1 of Comanche, 1 of Concho, 2 of Collin, 5 of Cooke, 3 of Coryell, 1 of Coleman, 5 of Dallas, 3 of Denton, 5 of Ellis, 2 of El Paso, 1 of Encinal, 2 of Erath, 1 of Fort Bend, 3 of Fannin, 2 of Freestone, 3 of Gonzales, 5 of Gillespie, 5 of Grayson, 1 of Guadalupe, 2 of Harrison, 2 of Hays, 7 of Hill, 1 and 2 of Hood, 2 of Hopkins, 3 of Hunt, 1 of Jasper, 2 of Johnson, 8 of Kaufman, 7 of Kendall, 1 of Knox, 2 of Lamar, 1 of La Salle, 2 of Leon, 1 of Limestone, 2 of Liberty, 1 of Madison, 1 and 2 of Marion, 2 of Milam, 1 of McLennan, 5 of Montague, 2 of Montgomery, 1 of Navarro, 2 of Palo Pinto, 1 of Parker, 3 of Panola, 3 of Red River, 2 of Refugio, 6 of Robertson, 2 of Rusk, 3 of Smith, 1 of Tarrant, 1 of Taylor, 2 of Titus, 5 of Travis, 3 of Trinity, 3 of Upshur, 7 of Van Zandt, 4 of Walker, 9 of Washington, 1 of Wichita, 1 of Williamson, 3 of Wise, 3 of Wood, 30 counties west of the Brazos; total 255; one map of each county, 150; grand total 405.

Map of land reserves of the Memphis, El Paso and Pacific Railroad running through the following counties: Bowie, Red River, Lamar, Fannin, Grayson, Collins, Denton, Wise, Tarrant, Parker, Palo Pinto, Stephens, Shackelford, Jones and Bexar land district to El Paso.

On motion of Senator Mills, the rules were suspended to consider the reports of Committee on General Land Office.

Senator Tendick moved that the bills, Senate bill No. 383 and Senate bill No. 384, be referred to a select committee of three, with instructions to report to-morrow. Carried.

The Chair appointed as such committee, Senators Tendick, Pickett and Hertzberg.

Special message from the Governor by his private secretary, as follows:

GOVERNOR'S OFFICE,
AUSTIN, April 26, 1871.

To the Hon. Senate of the State of Texas:

GENTLEMEN: I respectfully request to withdraw the name of M. Talbot, Jr., of Refugio county, Texas, from the list of notaries public, sent to your honorable body for confirmation.

Very respectfully,

EDMUND J. DAVIS, Governor.

Message read and on motion of Senator Parsons, leave was granted to the Governor to withdraw the name of M. Talbot, Jr., from the list of notaries public submitted to the Senate for confirmation.

GOVERNOR'S OFFICE,
AUSTIN, April 5, 1871.

To the Hon. Senate of the State of Texas:

GENTLEMEN: I would most respectfully ask your advice and consent to the following appointment, to-wit: John L. Crome, notary public for Matagorda county, Texas.

Very respectfully,
EDMUND J. DAVIS,
Governor.

Message read and referred to Committee on Nominations.
Reports of Committee on Education:

COMMITTEE ROOM,
AUSTIN, April 15, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on Education, to whom was referred House bill No. 322, entitled "An act authorizing and regulating the sale of the University lands," have had the same under careful consideration, and herewith report it back with the recommendation that the bill do pass.

E. PETTIT, Chairman.
R. P. TENDICK,
S. W. FORD.

COMMITTEE ROOM,
AUSTIN, April 25, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on Education, to whom was referred House bill No. 597, entitled, "An act to incorporate the Prairie Valley Academy, Hill county, Texas," have had the same under careful consideration, and a majority thereof instruct me to report it back with the recommendation that it do pass.

E. PETTIT,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on Education, to whom was referred House bill No. 145, entitled "An act to prohibit the sale or otherwise disposing of spirituous or vinous liquors within three miles of Baylor University, in Washington county," have had the same under careful consideration, and a majority thereof instruct me to report it

back, with the accompanying amendments, and recommend that it do pass.

E. PETTIT,
Chairman.

Amendment: At end of section three add, "*provided*, a school organization be maintained in said university during the accustomed scholastic months of each and every year."

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Education to whom was referred House bill No. 225, entitled "An act to prohibit the sale of intoxicating liquors within certain limits of the High School at Edom, Van Zandt county, Texas," have had the same under careful consideration and a majority thereof instruct me to report it back with the accompanying amendments, and recommend that it do pass.

E. PETTIT, Chairman.

Amendments: In section one, lines three and four, strike out phrase "make, sell or distribute any spirituous, vinous or intoxicating," and insert "sell any intoxicating or spirituous;" in two, line second, strike out phrase "of this act," and insert "of the foregoing section;" in section three, after last line in section, add following: "provided that a school organization be maintained in said high school during the accustomed scholastic months of each and every year."

COMMITTEE ROOM,
AUSTIN, April 25, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Education, to whom was referred House bill No. 598, entitled "An act to prohibit the sale of intoxicating or spirituous liquors within two miles of Mansfield College, Tarrant county," have had the same under careful consideration, and a majority thereof instruct me to report it back with the recommendation that the bill do pass.

E. PETTIT,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 25, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Education, to whom was referred House

bill No. 301, entitled "An act to incorporate Rockwall Institute, in the county of Kaufman," have had the same under careful consideration, and the majority thereof instruct me to report it back with the recommendation that it do pass.

E. PETTIT,
Chairman.

Reports read and laid over under the rules.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Education to whom was referred House bill No. 39, entitled "An act to prohibit the sale or distribution of spirits, vinous or other intoxicating liquors, within certain limits of the Grapevine Masonic Institute, in the town of Grapevine, Tarrant county, Texas," have had the same under careful consideration and herewith report the accompanying substitute, and recommend that it do pass.

E. PETTIT,
Chairman.

Report and substitute read first time.

Substitute House bill No. 39, "An act to prohibit the sale of intoxicating or spirituous liquors within two miles of Grapevine Masonic Institute, in the town of Grapevine, Tarrant county, Texas."

COMMITTEE ROOM,
AUSTIN, April 15, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Education to whom was referred House joint resolution No. 1, "Prohibiting the founding, organization, support or maintenance of military institutes of learning, without being chartered by the Legislature of the State of Texas," have had the same under careful consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

E. PETTIT,
Chairman.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Education, to whom was referred House bill No. 490, entitled "An act to establish a system of public free schools in the State of Texas," have carefully examined the same, and beg leave herewith to submit the following report, viz:

that, since "an act to organize and maintain a system of public free schools in the State of Texas," has passed both Houses of this Legislature and has become a law; therefore, your committee recommend that the consideration of said bill No. 490, be indefinitely postponed.

E. PETTIT, Chairman.

Reports read and laid over under the rules.

Report of Committee on Finance.

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Finance to whom was referred House bill No. 357, "An act making appropriations for the support of the State government, for deficiencies for the fiscal year ending August 31, 1871, and for the fiscal year ending August 31, 1872," have had the same under consideration, and instruct me to report it back and recommend that it pass with accompanying amendments.

Very respectfully,

W. A. SAYLOR, Chairman.

Amendments to printed bill: Amend under the head of State Department, line thirteen, by striking out "2000" and inserting "1800;" in line seventeen by striking out "1000" and inserting "500," and in lines eighteen and nineteen by striking out "1500" and inserting "1000."

Also, under the head of Comptroller's Department, line twenty-five, by striking out "1800" and inserting "1600;" also, in line twenty-six, by striking out "5400" and inserting "4800;" amend, under same head, by striking out all of lines thirty-four and thirty-five; also, by striking out all of line thirty-eight.

Amend page eight, line seven by striking out "50,000" and inserting "25,000," and on page nine, line seven, by striking out "600,000" and inserting "450,000."

Amend page ten by striking out all of lines two, three and four, under head of Geological Department, Deficiency, and on page eleven, under head of Judiciary, by striking out lines three, four and five; also, on page eleven, under head of Judiciary, for 1872, by striking out all of lines three, four and five.

10:30 o'clock A. M.

The hour for special order having arrived, House bill No. 357, "An act making appropriations for the support of the State government for deficiencies for the fiscal year ending August 31, 1871, and for the fiscal year beginning September 1, 1871, and ending August 31, 1872,"

On motion of Senator Pettit, the consideration of special order was postponed until after the completion of the morning call.

Senator Fountain offered the following resolution, which was adopted :

Resolved, That indefinite leave of absence is hereby granted to the Senator from the Eleventh Senatorial District, from May 7, A. D. 1871, on account of sickness in his family.

Report of Committee on Enrolled Bills:

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Enrolled Bills have examined and find correctly enrolled the following Senate bills, viz : No. 272, entitled "An act to organize and incorporate the Sherman and Red River Railroad Company;" No. 31, entitled "An act to incorporate Douglassville College;" No. 214, entitled "An act to incorporate the Jamestown High School;" No. 270, entitled "An act making an appropriation for the purpose of having certain general indexes in the General Land Office copied," and to-day presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Report read and received.

Under the direction of the President the Secretary carried to the House, for concurrence, Senate bill No. 382, "An act for the relief of J. P. Jamison, deputy sheriff of Red River county."

Senate joint resolution No. 33, "Joint resolution authorizing and requiring the Governor to call a special election to fill certain vacancies."

Also, returning to the House, House bill No. 179, "An act to authorize C. R. Goodwin to erect a toll bridge over Chambers creek where the road leading from Waxahachie to Dresden crosses the same." passed the Senate April 26.

Also, informing the House the Senate recede from the amendment to which the House disagreed, to Housebill No. 37, "An act to amend an act entitled 'an act to establish a State police and providing for the regulation of the same,' approved July 1, 1870."

Also, returning Senate bill No. 9, "An act authorizing the county courts to sell the school lands situated in their respective counties," the Senate not concurring in a portion of the House amendments.

Also, transmitting for signature of the Speaker the following enrolled Senate bills :

Senate bill No. 10, "An act for the relief of James E. Carleton, Sheriff of Jasper county."

Senate bill No. 35, "An act to amend an act entitled 'an act to incorporate the city of Columbus, and for other purposes,' approved August 5, 1870."

Senate bill No. 42, "An act to incorporate the Merchants' and Planters' Savings Bank of Texas."

Senate bill No. 121, "An act providing that all fees or costs of peace officers shall be taxed and payable in United States currency."

Senate bill No. 170, "An act in reference to the location, survey and return of genuine land certificates."

Senate bill No. 218, "An act to amend an act entitled 'an act to consolidate in one act and amend the several acts incorporating the city of Houston, in Harris county,' passed August 2, 1870."

Senate bill No. 219, "An act to incorporate the Texas Savings Bank."

Senate bill No. 287, "An act to remove the county seat of Grimes county from Anderson to Navasota."

Senate bill No. 318, "An act to organize and incorporate the Marshall, Texas, and Mansfield, Louisiana, Railroad Company."

Enrolled bills signed by the Speaker, returned and signed by the President of the Senate.

Message from the House by Chief Clerk, informing the Senate the House had passed the following Senate bills:

Senate bill No. 211, "An act to amend the third section of an act entitled 'an act creating the counties of Presidio, El Paso and Worth,' approved January 3, 1850."

Senate bill No. 198, "An act to organize the county of Pecos."

Senate bill No. 199, "An act to organize the county of Presidio," with amendments.

Strike out in section one the words "or within five days thereafter," and insert in lieu thereof the words "or as soon thereafter as practicable."

Senate bill No. 299, "An act to incorporate the Navasota and Washington County Ferry Company."

Also transmitting for concurrence House bill No. 183, "An act for the relief of early settlers of the Republic and State of Texas."

House bill No. 219, "An act to authorize the sale of the public domain in quantities less than one hundred and sixty acres."

House bill No. 241, "An act to provide for the appointment of one county surveyor for two or more counties."

House bill No. 367, "An act to authorize the transcript of the surveyor's records of Lampasas county."

House bill No. 388, "An act to amend an act entitled 'an act to provide for the protection of the frontier.'"

House bill No. 449, "An act authorizing the county courts of this State to offer a reward for the destruction of wolves."

House bill No. 472, "An act for the relief of the heirs and assignees of James Power and James Hewitson."

House bill No. 531, "An act for the relief of George Cox."

House bill No. 555, "An act making an appropriation to defray the contingent and printing expenses of the first session of the Twelfth Legislature."

House bill No. 613, "An act supplemental to 'an act to authorize counties, cities and towns to aid in the construction of railroads and other works of internal improvements,' approved April 12, 1871."

House bill No. 614, "An act to validate certain writs and process issued by or from the district courts."

House bill No. 618, "An act to incorporate the Seguin Manufacturing Company."

BILLS AND RESOLUTIONS.

By Senator Ruby : a bill (Senate bill No. 387) to be entitled, "An act to incorporate the Galveston Medical College." Read first time and referred to the Committee on Education.

By Senator Baker : a bill (Senate bill No. 388,) "An act providing for levying upon stock running at large in the ranges." Read first time and referred to the Committee on Judiciary.

By Senator Hall : a bill (Senate bill No. 389) to be entitled, "An act to incorporate the Texas Road Steamer Company." Read first time and referred to the Committee on State affairs.

UNFINISHED BUSINESS.

House bill No. 4, "An act to encourage stock raising, and for the protection of stock raisers."

The question being upon the following amendment offered by Senator Ruby : Amend section twenty-five, line four, by adding after the word "river" the words "excepting the counties of Harris, Galveston and Colorado,"

Senator Pickett moved to recommit the bill to a select committee. Carried.

The Chair appointed as such committee Senators Fountain, Tindick and Pickett.

On motion of Senator Fountain, Senator Ford was added to the committee.

Senator Fountain offered the following resolution, which was adopted :

Resolved, That the Chairman of the Committee on Printing be

authorized to have printed, in the Spanish language, one hundred copies of each of the following bills, which have become laws: Senate bill No. 206, "An act to incorporate the town of San Eleceario;" Senate bill No. 216, "An act to incorporate the town of Socorro;" Senate bill No. 217, "An act to incorporate the town of Ysleta."

On motion of Senator Mills, the rules were suspended to consider postponed special order, House bill No. 357.

[Senator Dohoney in the Chair.]

Senator Mills moved that the following amendment reported by the Finance Committee be adopted: Amend, under the head of State Department, in line thirteen, by striking out "\$2000" and inserting "\$1800."

Senator Mills moved a call of the Senate. Call sustained.

Absent—Senators Broughton, Pridgen, Saylor and Mr. President.

Absent—excused—Senators Evans and Flanagan.

On motion of Senator Bell, the call was suspended.

The question recurring upon the amendment of the Finance Committee, yeas and nays were called for, and the amendment lost by the following vote:

Yeas—Bell, Cole, Dohoney, Douglass, Hillebrand, Latimer, Mills, Pickett, Rawson, Shannon—10.

Nays—Mr. President, Baker, Bowers, Ford, Fountain, Gaines, Hall, Hertzberg, Parsons, Pettit, Ruby, Saylor, Tendick—13.

On motion of Senator Mills, the following amendment reported by the Committee was rejected, under head of State Department, line seventeen, by striking out "\$1000" and inserting "\$500."

Senator Mills moved that the following amendment reported by the committee be adopted, under head of State Department, lines eighteen and nineteen, strike out "\$1500" and insert "\$1000." Adopted.

The following amendments were rejected: Under head of Comptroller's Department, line twenty-five, strike out "\$1800" and insert "\$1600;" line twenty-six strike out "\$5400" and insert "\$4800."

The following amendments were adopted: Under head of Comptroller's Department: strike out all of lines thirty-four and thirty-five; also, strike out all of line thirty-eight.

Senator Saylor moved to adopt the following amendment, reported by the Finance Committee: "Amend page eight, line seven, by striking out "fifty thousand dollars" and inserting "twenty-five thousand dollars."

Senator Bowers moved to amend the amendment by striking out the words "and inserting twenty-five thousand dollars."

Senator Fountain moved to lay the amendment and the amendment to the amendment on the table.

Yeas and nays called for and motion to lay on the table lost by the following vote :

Yeas—Baker, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Ruby, Saylor—11.

Nays—Bell, Bowers, Broughton, Cole, Dohoney, Douglass, Hillebrand, Latimer, Pickett, Pridgen, Pyle, Rawson, Shannon, Tendick—14.

The question recurring on the amendment to the amendment, Senator Pickett offered the following substitute for the amendment of the committee and the amendment thereto : Strike out “\$50,000.”

Yeas and nays called for and the substitute lost by the following vote :

Yeas—Bowers, Broughton, Cole, Dohoney, Douglass, Hillebrand, Latimer, Pickett, Pyle, Shannon—10.

Nays—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—16.

The question recurring upon the adoption of the amendment as offered by the Finance Committee, to wit : Amend page eight, line seven, by striking out “\$50,000” and inserting “\$25,000,” the amendment was lost.

Senator Saylor moved the adoption of the following amendment : Page nine, line seven, by striking out “\$600,000” and inserting “\$450,000.”

Yeas and nays called for and amendment adopted by the following vote :

Yeas—Mr. President, Baker, Bell, Bowers, Cole, Dohoney, Gaines, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Pyle, Rawson, Saylor, Shannon, Tendick—18.

Nays—Broughton, Douglass, Ford, Fountain, Hall, Hertzberg, Ruby—7.

Senator Mills offered the following amendment, which was adopted : Under head of School Department, Deficiency, line fourteen, strike out “\$850” and insert “\$1800.”

The following amendments offered by Finance Committee were adopted : Amend page ten by striking out all of lines two, three and four, under head of Geological Department, Deficiency ; and on page eleven, under head of Judiciary, by striking out lines three, four and five ;” also, on page eleven, under head of Judiciary for 1872, by striking out all of lines three, four and five.”

Senator Baker offered the following amendments, which were adopted : Amend Comptroller's Department by adding between lines six and seven the words “For salary of one pension clerk \$500 ;”

also, between lines thirty-five and thirty-six by adding the words "For salary of one pension clerk \$1500."

Senator Pickett offered the following amendment: At the head of page ten, amend by inserting "Bureau of Immigration, Deficiency. For salary of the Superintendent, \$2000."

Yeas and nays called for and amendment adopted, by the following vote:

Yeas—Mr. President, Bell, Bowers, Cole, Dohoney, Ford, Fountain, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick—22.

Nays—Baker, Broughton, Douglass, Gaines—4.

President Campbell moved that the Senate stand adjourned to 10 o'clock A. M. to-morrow. Yeas and nays called for and lost by the following vote:

Yeas—Mr. President, Broughton, Cole, Latimer, Pickett, Pyle, Rawson—7.

Nays—Baker, Bell, Bowers, Dohoney, Douglass, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Ruby, Saylor, Shannon, Tendick—19.

Senator Parsons moved that the Senate stand adjourned to 4:30 o'clock P. M. Yeas and nays called for and carried by the following vote:

Yeas—Bowers, Cole, Dohoney, Douglass, Ford, Fountain, Hall, Hertzberg, Hillebrand, Parsons, Pickett, Pridgen, Pyle, Shannon, Tendick—15.

Nays—Mr. President, Baker, Bell, Broughton, Gaines, Latimer, Mills, Pettit, Rawson, Ruby, Saylor—11.

So the Senate, at 1:10 o'clock P. M., adjourned to 4:30 o'clock P. M.

AFTERNOON SESSION.

4:30 o'clock P. M.

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; no quorum present.

Absent—Senators Broughton and Rawson.

Absent—excused—Senators Evans and Flanagan.

Senators appeared and answered to their names.

Quorum present.

On motion of Senator Pettit, the rules were suspended to take

from file Senate bill No. 285, "An act to validate certain acts of the County Court of Van Zandt county." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Pettit, the rules were further suspended and Senate bill No. 285 read third time and passed.

On motion of Senator Pickett, the rules were suspended to take from file House bill No. 270, "An act to authorize W. W. Knight to erect a toll bridge over Waxahachie creek, Ellis county, Texas." Read second time and passed to a third reading.

On motion of Senator Pickett, the rules were further suspended and House bill No. 270 read third time and passed.

On motion of Senator Pridgen, the rules were suspended to take from file Senate bill No. 139, "An act to incorporate the Lavaca and Navidad Rivers Navigation and Dredging Company." Read third time and passed.

On motion of Senator Mills, the rules were suspended to take from file Senate bill No. 142, "An act to incorporate the Galveston, Brenham and Fort Belknap Railroad Company," with substitute, Senate bill No. 142, "An act to incorporate the Brazos and Fort Belknap Railroad Company."

On motion of Senator Ruby, the substitute reported by Committee on Internal Improvements was adopted.

[Senator Fountain in the Chair.]

Senator Ruby offered the following amendment, which was adopted: Amend section three, in line thirteen, by inserting the word "public" after the word "all."

Senator Ruby offered the following amendment: In line thirty-eight, same section, strike out the words "general railroad law," and insert in lieu thereof the words "Constitution and laws."

On motion of Senator Pickett, the amendment was laid on the table.

Senator Pickett moved to recommit Senate bill No. 142, and substitute, to the Committee on Internal Improvements. Carried.

On motion of Senator Parsons, the rules were suspended to take from file House bill No. 600, "An act to incorporate the Drayman's Club of Houston, Texas." Read first time.

On motion of Senator Parsons, the rules were further suspended, and House bill No. 600 read second time.

Senator Parsons offered the following amendment, which was adopted: Amend title by striking out the word "Drayman's," and inserting in lieu thereof the words "Draymen's Savings Club."

On motion of Senator Parsons, the rules were further suspended and House bill No. 600 read third time and passed.

On motion of Senator Pyle, the rules were suspended to take

from file House bill No. 601, "An act to authorize the county court of Ellis county to issue coupon interest-bearing bonds to aid in the construction of a court house and jail in said county." Read second time.

On motion of Senator Pyle, the rules were further suspended and House bill No. 601 read a third time and passed.

By leave, Senator Ford submitted the following report of Committee on State Affairs:

COMMITTEE ROOM,
AUSTIN, April 26, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred House bill No. 502, entitled "An act to incorporate the French Benevolent and Mutual Assistance Society of Galveston, Texas," after careful consideration, instruct me to report the same back and recommend its passage.

Respectfully,

S. W. FORD,
Chairman.

Report read.

On motion of Senator Gaines, the rules were suspended to consider the report and bill. Bill read second time.

On motion of Senator Ruby, the rules were further suspended and House bill No. 502 "An act to incorporate the French Benevolent and Mutual Assistance Society of Galveston, Texas." Read third time and passed.

On motion of Senator Saylor, the rules suspended to take from file, House bill No. 385 "An act to incorporate the town of Lexington, in Burleson county." Read second time.

On motion of Senator Saylor, the following amendments reported by the Committee on State Affairs, were adopted: Amend section three, line two, by inserting after the word "Governor" the words "and the board of aldermen shall consist of five members."

On motion of Senator Saylor, the rules were further suspended and House bill No. 385 read third time and passed.

On motion of Senator Shannon, the rules were suspended to take from file House bill No. 280, "An act to incorporate the West Fork Male and Female College." Read second time.

On motion of Senator Pettit, the rules were further suspended and House bill No. 280 read third time and passed.

On motion of Senator Tendick, the rules were suspended to take from file House bill No. 525, "An act to incorporate the Union

Coal, Iron and Copper Mining and Manufacturing Company." Read first time.

On motion of Senator Tendick, the rules were further suspended, and House bill No. 525 read second time and passed to a third reading.

On motion of Senator Tendick, the rules were further suspended, and House bill No. 525 read third time and passed.

On motion of Senator Baker, the rules were suspended, House bill No. 70, "An act for the relief of Thomas N. Haynes." Read second time.

On motion of Senator Baker, the rules were further suspended, and House bill No. 70 read third time, and passed by the following vote :

Yeas—Baker, Bell, Bowers, Cole, Dohoney, Douglass, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Pyle, Ruby, Shannon, Tendick—20.

Nays—Pickett, Saylor—2.

On motion of Senator Bell, the rules were suspended to take from file Senate bill No. 370, "An act to amend 'an act to incorporate the Western Narrow Gauge Railway Company,' passed August 4, 1870." Read second time.

On motion of Senator Bell, the following amendment reported by the Committee on Internal Improvements was rejected: Amend section eight by striking out after the word "turnouts" the word "branches."

Senate bill No. 370 ordered engrossed and passed to a third reading.

On motion of Senator Bell, the rules were suspended and Senate bill No. 370 read third time and passed.

On motion of Senator Bowers, the rules were suspended to take from file House bill No. 425, "An act to authorize the Commissioner of the General Land Office to issue to B. H. Davis, assignee, an unconditional second class headright certificate for six hundred and forty acres of land upon conditional No. 90." Read second time.

On motion of Senator Pridgen, the rules were further suspended and House bill No. 425 read third time and passed by the following vote :

Yeas—Bell, Bowers, Cole, Dohoney, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Ruby, Shannon, Tendick—17.

Nays—Douglass, Pickett, Saylor—3.

On motion of Senator Broughton, the rules were suspended to take from file Senate bill No. 372, "An act to authorize certain persons therein named to erect a toll bridge across Harris creek, in Smith county." Read second time.

On motion of Senator Douglass, the following amendments reported by the Committee on Roads, Bridges and Ferries, were adopted: Amend by inserting the word "that," as the first word of section three; amend by striking out the word "police," in line six, section two, and insert in lieu thereof the word "county."

Bill ordered engrossed and passed to a third reading as amended.

On motion of Senator Douglass, the rules were further suspended, and Senate bill No. 372 read third time and passed.

On motion of Senator Cole, the rules were suspended to take from file Senate bill No. 239, "An act exempting telegraphic operators in this State from serving on juries and in the State militia."

Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Cole, the rules were further suspended and Senate bill No. 239 read third time and passed.

On motion of Senator Baker, the vote by which Senate bill No. 370 was passed was reconsidered.

Senator Baker offered the following amendment, which was adopted: amend section one, line twenty-four, by striking out the words "or near."

On motion of Senator Baker, Senate bill No. 370 passed.

On motion of Senator Dohoney, the rules were suspended to take from file House bill No. 472, "An act for the relief of the heirs and assignees of James Power and James Hewitson."

Senator Dohoney moved to refer the bill to a select committee of three. Carried.

The chair appointed as such committee Senators Dohoney, Parsons and Pridgen.

On motion of Senator Dohoney, the rules were suspended to take from file Senate bill No. 205, "An act to incorporate the Paris Gas Company."

Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Dohoney, the rules were further suspended and Senate bill No. 205 read third time and passed.

On motion of Senator Douglass, the rules were suspended to take from file Senate bill No. 149, "An act to incorporate the Sabine and Neches Bridge Company," and substitute reported by Committee on Roads, Bridges and Ferries, substitute to Senate bill No. 149, "An act to incorporate the Sabine and Neches Bridge Company." Read second time, and on motion of Senator Douglas, the substitute was adopted, ordered engrossed and passed to a third reading.

On motion of Senator Douglass, the rules were further suspended and substitute to Senate bill No. 149 read third time and passed.

On motion of Senator Shannon, the rules were suspended to take from file House bill No. 288, "An act to incorporate the East Fork Plank Road Company." Read second time.

On motion of Senator Mills, the rules were further suspended and House bill No. 288 read third time and passed.

On motion of Senator Ford, the rules were suspended to take from file House bill No. 283, "An act to incorporate Waco Lodge No. 92, Ancient, Free and Accepted Masons." Read second time.

On motion of Senator Ford, the rules were further suspended and House bill No. 283 read third time and passed.

On motion of Senator Fountain, the rules were suspended to take from file House bill No. 247, "An act for the relief of R. H. Walker." Read second time.

On motion of Senator Pridgen, the rules were further suspended and House bill No. 247 read third time and passed by the following vote :

Yeas—Baker, Bell, Bowers, Cole, Dohoney, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Ruby, Saylor, Shannon, Tendick—19.

Nays—Douglass, Pickett—2.

By leave, Senator Ruby submitted the following report of Conference Committee on Senate bill No. 29 :

COMMITTEE ROOM,
AUSTIN, April 27, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee of Conference on Senate bill No. 29, entitled "An act to incorporate the Texas Cotton Spinning and Manufacturing Company," agree in recommending that the Senate recede from its refusal to concur in the House amendment to section two of said bill "providing an exemption from taxation of the Texas Cotton Spinning and Manufacturing Company for the term of five years."

G. T. RUBY,
G. R. SHANNON.

Managers on the part of the Senate.

Report read and laid over under the rules.

On motion of Senator Gaines, the rules were suspended to take from file Senate bill No. 330, "An act to incorporate the Hebrew Benevolent Society of Brenham, in the county of Washington." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Gaines, the rules were further suspended, Senate bill No. 330 read third time and passed.

Senator Gaines moved the Senate stand adjourned to 10 o'clock A. M., to-morrow. Lost.

On motion of Senator Hall, the rules were suspended to take from file Senate bill No. 337. Read second time.

On motion of Senator Hall, the following amendments reported by the Committee on Roads, Bridges and Ferries were adopted: Amend section two so as to read "said bridge shall be completed before the expiration of three years, and work thereon commenced within twelve months after the passage of this act, otherwise this act shall be null and void;" amend section five by inserting as the first word in said section, the word "that."

Senator Hall offered the following amendment, which was adopted: Amend section four, line two, after the word "other" insert the word "toll," and in line three strike out "five" and insert "two."

Senate bill No. 337 ordered engrossed, and passed to a third reading as amended.

On motion of Senator Hall, the rules were further suspended, Senate bill No. 337 read third time and passed.

Senator Hertzberg moved the Senate adjourn to 10 o'clock A. M. to-morrow. Lost.

Senator Mills moved a call of the Senate. Call sustained.

Absent—Mr. President, Senators Broughton, Cole, Pridgen, Pyle, Rawson and Ruby.

Absent—excused—Senators Evans, Flanagan and Latimer.

On motion of Senator Mills, President Campbell was excused.

Senator Bell moved the Senate stand adjourned to 10 o'clock A. M. to-morrow.

Yeas and nays called for, and carried by the following vote:

Yeas—Bell, Cole, Dohoney, Douglass, Gaines, Hall, Parsons, Pettit, Pickett, Pridgen, Shannon, Tendick—12.

Nays—Baker, Bowers, Ford, Fountain, Hertzberg, Hillebrand, Mills, Saylor—8.

So the Senate, at 6:15 o'clock P. M., adjourned to 10 o'clock A. M., to-morrow.